

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>IN RE: CHOCOLATE</b>	:	<b>MDL DOCKET NO. 1935</b>
<b>CONFECTIONARY ANTITRUST</b>	:	<b>(Civil Action No. 1:08-MDL-1935)</b>
<b>LITIGATION</b>	:	
<hr/>	:	<b>(Chief Judge Conner)</b>
	:	
<b>THIS DOCUMENT APPLIES TO</b>	:	
<b>ALL CASES</b>	:	

**ORDER & JUDGMENT**

AND NOW, this 17th day of April 17, 2014, upon consideration of the court's memorandum (Doc. 1500) and order (Doc. 1501) granting summary judgment in favor of Nestlé U.S.A., Inc., The Hershey Company, Mars, Inc., and Mars Snackfood U.S. (collectively "defendants") and against the individual purchaser plaintiffs and the direct purchaser class, and deferring entry of judgment pending conclusion of the litigation, (see id.), and further upon consideration of the parties' recently-filed stipulations to dismiss with prejudice the claims of the indirect end user plaintiffs (Doc. 1510), the indirect purchasers for resale (Doc. 1513), and Associated Wholesale Grocers (Docs. 1515), and the court's orders approving the same (Docs. 1512, 1514, 1516), and it thus appearing that all remaining claims in this multidistrict litigation have been resolved by the court or otherwise, it is hereby ORDERED that:

1. All claims asserted by the indirect end user plaintiffs, the indirect purchaser for retail plaintiffs, and Associated Wholesale Grocers (collectively, "stipulating plaintiffs") are DISMISSED with prejudice; however, should the Third Circuit reverse this court's ruling on summary judgment, either in whole or in part as to any claim against any defendant, the stipulating plaintiffs shall have the right to reinstate those same claims against any such defendant.

2. The motion for class certification (Doc. 1351) by the indirect purchaser for resale plaintiffs is DENIED as moot.
3. Judgment is ENTERED in favor of Nestlé U.S.A., Inc., The Hershey Company, Mars, Inc., and Mars Snackfood U.S. in accordance with the court's memorandum (Doc. 1500) and order (Doc. 1501) of February 26, 2014.
4. The Clerk of Court is directed to CLOSE this case. The Clerk of Court is further directed to transmit a copy of this closing order to the Clerk of the Judicial Panel on Multidistrict Litigation. See RULES OF P. OF THE U.S. JUDICIAL PANEL ON MULTIDISTRICT LITIGATION 10.1(a).

/s/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania